

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1296 of 1997

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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LALITABEN G RATHOD

Versus

CHIEF OFFICER

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Appearance:

MR PN BAVISHI for Petitioner

MR RN SHAH for Respondent No. 1

SERVED for Respondent No. 2

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CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 10/03/97

ORAL JUDGEMENT

Leave to delete respondent No.2 State.

Rule returnable today. Mr. RN Shah, learned advocate appears and waives service of rule on behalf of respondent Municipality.

Petitioner herein is a sweeper serving under the respondent Municipality on daily wages. She has claimed right to permanent appointment as has been done in cases of other 25 persons working as sweeper under the respondent Municipality on daily wages. Learned advocate Mr. Shah does not dispute that some 25 sweepers have been accorded benefit of permanent service under order dated 23rd December, 1996 made pursuant to the Conciliation Proceedings pending before the Government Labour Officer.

In view of the aforesaid order, petition is allowed. It is hereby directed that the respondent Municipality shall appoint the petitioner as sweeper in the pay scale of Rs.750-900 with effect from 1st January, 1997 on the same terms and conditions on which other 25 sweepers have been given benefit of regular pay scale. Rule is made absolute accordingly. Parties shall bear their own costs.

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\*Vyas